

<b>Interview Summary</b>	Application No.	Applicant(s)	
	10/785,097	O'DONNELL ET AL.	
	Examiner	Art Unit	
	Mark T. Le	3617	

All participants (applicant, applicant's representative, PTO personnel):

(1) Mark T. Le. (3) John Schaerli.  
 (2) John Harbst. (4) \_\_\_\_\_

Date of Interview: 09 March 2005.

Type: a) ☐ Telephonic b) ☐ Video Conference  
 c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.  
 If Yes, brief description: sample constant contact side bearing.

Claim(s) discussed: 6,13,26,40 and 43.

Identification of prior art discussed: Spencer.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

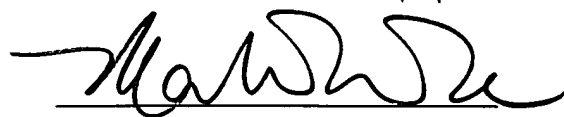
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

*See attached proposed amendment "A".*

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

3/9/05  
  
 Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representatives showed the examiner a side bearing and described its operation. The examiner brought to the attention of Applicant's representatives the structure of Spencer which is similar to the structure of the present invention; however, it was noted that the housing body and the friction member of Spencer are formed as a single unit rather than in two pieces movable relative to each other as of the present invention. The examiner indicated that if the claims were to be amended over Spencer, the claims would be more favorably considered. Regarding claims 40 and 43, it appears to be very broad; however, the examiner will try to work with Applicant's representative on the language of said claims when receiving a formal amendment .

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:	William P. O'Donnell;	)	<b><u>PATENT APPLICATION</u></b>
	Paul B. Aspengren	)	
Serial No.:	10/785,097	)	Examiner: M. Le
Filed:	February 24, 2004	)	Group Art Unit: 3617
For:	CONSTANT CONTACT SIDE	)	Confirmation No.: 8794
	BEARING ASSEMBLY FOR A RAILCAR	)	

**PROPOSED AMENDMENT "A"**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Responding to a January 31, 2005 Office Action, kindly amend the above-identified patent application as follows:

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 2

**IN THE SPECIFICATION:**

Please amend Paragraph [0012] as follows:

[0012] In view of the above, and in accordance with one aspect, there is provided a constant contact side bearing assembly adapted for insertion within a pocket lined by a walled receptacle provided on to be arranged in combination with a railcar bolster defining an upper surface. The constant contact side bearing assembly includes a spring having one end adapted for direct engagement with a bolster surface and accommodated within a body member having wall structure extending circumferentially about the spring. The with the walled wall structure of the body member being is configured to fit within the a walled receptacle on the upper surface of the railcar bolster. In one form, the wall structure of the body member and the walled receptacle include a pair of confronting surfaces disposed to opposed sides of an axis defined by said side bearing assembly and extending generally normal to the upper surface on the bolster. The side bearing assembly further includes an apparatus operably engagable with the walled receptacle on the bolster and the wall structure of the body member for locating the side bearing relative to the bolster. In a preferred form, such apparatus includes an insert positionable between each pair of confronting surfaces on the walled receptacle and body member so as to inhibit the side bearing from shifting relative to the bolster. The side bearing assembly further includes a friction member overlying a second one end of and for transmitting loads to the spring, with said the friction

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 3

member being guided relative to the body member.

Please amend Paragraph [0014] as follows.

[0014] In one embodiment, the body member of the side bearing assembly ~~further includes an apparatus operably engagable with the walled receptacle and the body member for locating the side bearing assembly relative to the bolster. Preferably, the wall structure on the body member and the walled receptacle includes a pair of confronting surfaces disposed to opposed sides of an upstanding axis defined by the side bearing assembly. In one form, the apparatus for locating the side bearing assembly relative to the bolster includes a spacer insertable into an opening defined between the confronting surfaces so as to inhibit the side bearing assembly from shifting relative to the bolster~~ defines a recess extending through the body member. As such, that end of spring, opposite from the friction member, can extend through the body member to directly engage and abut the upper surface portion on the bolster. Accordingly, the overall length of the spring can be extended, thus, enhancing the load absorption capability of the side bearing assembly.

Please amend Paragraph [0015] as follows:

[0015] One surface of each pair of confronting surfaces is preferably inclined with respect to the other surface such that the surfaces diverge away from each other as the surfaces extend away

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 4

from the bolster whereby defining a wedge shaped opening therebetween. In one form, the spacers or inserts for locating the side bearing assembly each has a wedge-shaped shape to enhance its insertion into each ~~wedge-shaped~~ opening defined between ~~said~~ the confronting surfaces on the wall structure on the body member and the walled receptacle. In a most preferred embodiment, each wedge-shaped spacer or insert is secured to the walled receptacle to inhibit shifting movements of the side bearing assembly relative to the bolster surface.

Please amend Paragraph [0016] as follows:

[0016] According to another aspect, there is provided a side bearing assembly adapted ~~for insertion into a pocket defined by a receptacle provided on an upper surface of a railcar bolster to~~ be arranged in combination with a railcar bolster with an upper surface. The side bearing assembly includes a walled housing, defining a recess or cavity, ~~extending therethrough and open at opposite ends, and a~~ The walled housing and a walled receptacle, on the upper surface of the bolster, define a pair of confronting surfaces arranged on opposed sides of an axis defined by the side bearing assembly and extending generally normal to the upper surface on the bolster. ~~A spring having a first end for abutting against a portion of the upper surface of said railcar bolster, and a second end, axially spaced from the first end is accommodated within the walled housing.~~ Spacers are provided for locating and securing the side bearing assembly within the walled

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 5

receptacle. At least one insert is positioned between the confronting surfaces on the walled  
receptacle and the walled housing on each side of the side bearing axis so as to inhibit the walled  
housing from shifting and locating the side bearing assembly relative to the bolster. A cap is  
arranged ~~at the second end of~~ in overlying relation relative the spring. The cap is mounted for  
reciprocatory guided movements by and relative to the housing, with a generally flat railcar body  
engaging portion on the cap being positioned relative to the walled housing and the walled  
enclosure receptacle by the spring.

Please amend Paragraph [0018] as follows:

[0018] ~~The~~ In one form, the recess or cavity defined by the walled housing of the side bearing  
assembly furthermore preferably includes spacers for locating and securing the side bearing  
assembly within the walled receptacle on the bolster. ~~In one form, the walled housing of the~~  
~~bearing assembly and the walled receptacle on the bolster include a pair of confronting surfaces~~  
~~disposed to opposed sides of an upstanding axis defined by the bearing assembly. One spacer is~~  
~~insertable into each opening between each pair of confronting surfaces so as to locate and secure~~  
~~the side bearing assembly within the walled receptacle on the bolster~~ extends through walled  
housing so as to allow that end of the spring, arranged opposite from the cap, to extend into  
abutting relationship with that portion of the upper surface of the bolster defined within



In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 6

parameters of the walled receptacle. As such, length can be added to the spring without adding to the operative height of the side bearing assembly thereby enhancing the load absorbing capability of the side bearing assembly.

Please amend Paragraph [0019] as follows:

[0019] In a most preferred form, one of the surfaces of each pair of confronting surfaces between the walled housing and walled receptacle is inclined with respect to the other surface such that the surfaces diverge away from each other and define a wedge shaped opening therebetween.

According to this aspect, one of the spacers or inserts is insertable into each wedge shaped opening defined by the confronting surfaces on the walled housing and the walled enclosure to inhibit shifting movements of the walled housing and locating the side bearing assembly relative to said walled enclosure. Preferably, each spacer is configured as a wedge shim.

Please amend Paragraph [0020] as follows:

[0020] According to another aspect, there is provided a side bearing assembly configured for accommodation in a rectangularly shaped, open top receptacle ~~projecting from on~~ a railcar bolster. The receptacle has a pair of spaced side walls and a pair of spaced end walls. The side bearing assembly includes a spring ~~with a first end adapted for abutting engagement with the~~

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 7

~~bolster, and a housing having wall structure defining a cavity extending therethrough wherein the spring is accommodated. In a preferred form, the housing wall structure extends circumferentially about the spring. The wall structure of the housing has a generally rectangular shape including two side walls and two end walls. Each side wall and each end wall of the housing's wall structure are disposed to opposite sides of an axis defined by the side bearing assembly and extend generally normal to the upper surface of the bolster. The generally rectangular shape of the housing's wall structure loosely fits within the walled receptacle on the bolster. A cap is positioned by and overlies a second an end of said spring. The cap is guided for telescopic movements relative to the side bearing assembly housing and includes a generally flat portion defining an upper extreme of the side bearing assembly following insertion of the side bearing assembly into operable combination with said the railcar bolster. An apparatus is furthermore provided for positively securing and positioning the side bearing assembly relative to the railcar bolster.~~

Please amend Paragraph [0022] as follows:

[0022] Preferably, the spring for the side bearing assembly includes a resilient spring block having ~~a substantial portion thereof disposed within the cavity of said housing and with the resilient spring block having~~ a predetermined length and a predetermined cross-sectional shape. In one

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 8

form, the generally flat portion on the cap and the resilient block have interlocking instrumentalities for securing the resilient block and cap in operable combination relative to each other. In a most preferred form, the resilient spring block is formed from an elastomer material.

Please amend Paragraph [0023] as follows:

[0023] Because of concerns related to the adverse effects of heat on elastomers, the side bearing assembly housing is preferably configured to promote the dissipation of heat away from the elastomer spring block. In a preferred form, the cap is also configured to promote the dissipation of heat away from the elastomer spring block.

Please amend Paragraph [0024] as follows:

[0024] In one form, the ~~side bearing assembly defines an axis extending generally normal to the surface on the bolster adapted to be abutted by the first end of the spring. In its preferred form, the wall structure of the bearing housing has a generally rectangular shape including two side walls and two ends walls. Each side wall and each end wall of the bearing housing wall structure is disposed to opposite sides of the side bearing assembly axis, and wherein the generally rectangular shape of the wall structure of the bearing housing loosely fits within and is surrounded by the receptacle on the bolster.~~ The end walls of the side bearing assembly housing and the end

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 9

walls of the walled receptacle on the bolster combine to define a pair of confronting surfaces disposed to opposite sides of the side bearing assembly axis. Each pair of confronting surfaces preferably has at a surface portion inclined with respect to the other surface such that the surfaces diverge away from each other as they extend away from ~~said bolster~~ the upper surface on the railcar bolster ~~adapted to be engaged by the spring~~ whereby defining a wedge-shaped opening therebetween. In one form, the apparatus for positively securing the side bearing assembly to the upper surface of said bolster includes spacers or inserts insertable into each wedge-shaped opening defined by the confronting surfaces on the side bearing assembly housing and the walled receptacle on the bolster to inhibit endwise shifting movements of side bearing assembly relative to the walled enclosure receptacle on the bolster. Preferably, each spacer is configured as a wedge shim.

Please amend Paragraph [0025] as follows:

[0025] According to still another aspect, there is provided a constant contact ~~low profile~~ side bearing assembly ~~configured for insertion into a walled receptacle provided on~~ adapted to be arranged in combination with a railcar bolster having an upper surface. The side bearing assembly includes a walled receptacle adapted for securement to the upper surface of the bolster. According to this aspect, the side bearing assembly further includes a bottomless housing

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 10

assembly body member having wall structure defining a recess, and wherein the body member is configured to loosely fit within the walled receptacle on the bolster, and has a relatively flat railcar body engaging surface defining an upper end of the housing, and an ~~An elastomeric spring configured for insertion within said housing assembly and beneath said railcar body engaging surface for providing said side bearing assembly with a predetermined preload force capability. One end of the spring extends through the housing for direct engagement with the bolster. In one form, a distance ranging between about 2.5 inches and about 4.5 inches is provided between the railcar body engaging surface and a lower edge of the bottomless housing. In a preferred form, an~~ is accommodated within the recess defined by the body member and a friction member overlies one end of the spring so as to transmit loads to the spring. An apparatus, operably engagable between and with the walled receptacle and the bottomless housing assembly body member, is provided for locating the side bearing assembly relative to the railcar bolster.

Please add Paragraph [0025.1] as follows:

[0025.1] In the illustrated form, the body member of the constant contact side bearing assembly is configured to allow the elastomeric spring to extend therethrough such that the end of the spring, opposed from the friction member, abuts with and directly engages with the upper surface of the bolster. In a preferred form, the friction member of the side bearing assembly is

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 11

arranged in operable combination with and positions the spring relative to said body member.

Please Paragraph [0025.2] as follows:

[0025.2] According to still another aspect, there is provided a constant contact side bearing assembly for a railcar having a bolster connected to a wheeled truck. The side bearing assembly includes a walled receptacle adapted for securement to an upper surface on the bolster and a housing assembly configured to loosely fit within the walled receptacle on the bolster. The housing assembly includes a friction member having a railcar engaging portion which is spring biased for engagement with an underside of a railcar body portion for limiting hunting movements of the wheeled truck. The side bearing assembly further includes an apparatus operably engagable with an inner surface on the walled receptacle and an outer surface on the housing assembly for locating the side bearing assembly relative to the railcar bolster.

Please Paragraph [0025.3] as follows:

[0025.3] In a preferred embodiment, the housing assembly of the side bearing assembly includes a walled base which mounts the friction member for telescoping movement relative thereto. In one form, the walled base of the housing assembly defines a recess for accommodating a spring. Preferably, one end of the spring extends through the walled base of the housing

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 12

assembly to abuttingly engage with that portion of the upper surface of said bolster surrounded by the parameters of the walled receptacle.

Please amend Paragraph [0041] as follows:

[0041] A constant contact side bearing assembly 40, according to the present invention, is designed to be accommodated within the pocket or recess 38 defined by each receptacle 26 on the bolster 16 for supporting and frictionally engaging an underside 42 of the railcar body 12. As shown in FIG. 2, bearing assembly 40 defines an axis 44 extending generally normal to the surface 28 of the bolster 16 after assembly 40 is arranged in operable combination with the bolster 16. The side bearing assembly 40 illustrated ~~for~~ for exemplary purposes is specifically designed with a low profile. It should be appreciated, however, the principals of this invention equally apply to railcar side bearings configured to operate in combination with railcars having a standard nominal working space of about five and one-sixteenth inch between the truck bolster and the car body underside. Suffice it to say, bearing assembly 40 preferably includes a two-part housing assembly including a housing or cage 50 and a cap or friction member 60 arranged for guided movements relative to the housing 50. A spring 70 is arranged in operable combination with and positions the bearing cap 60 relative to the upper surface 28 of the bolster 16.

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 13

Please amend Paragraph [0042] as follows:

[0042] In a preferred form, the housing or cage 50 of the side bearing is preferably formed from metal and, as illustrated in FIG. 3, has upstanding wall structure configured to fit within the walled receptacle 26 on the railcar bolster 16. Returning to FIG. 2, the wall structure on bearing housing 50 preferably extends circumferentially about the spring 70. Housing 50 and defines a cavity 52 for accommodating the spring 70. In one form, the recess or cavity 52 extends through housing 50 extending therethrough and is open at opposite ends. In the illustrated embodiment, the marginal edge of cavity 52 has a generally rectangular profile. As shown, wall structure of bearing housing 50 includes pair of generally parallel and spaced vertical side walls 53 and 54 disposed to opposed lateral sides of the bearing assembly axis 44 and a pair of generally parallel and spaced end walls 55 and 56 disposed to opposed longitudinal sides of the bearing assembly axis 44.

Please amend Paragraph [0054] as follows:

[0054] In the illustrated embodiment, a locking member insert or spacer 84 is snugly inserted into each opening 82 defined between the confronting walls 35, 55 and 36, 56, respectively, of the receptacle 26 and bearing housing 50. Thereafter, locking member or shim spacer 84 is secured, as by welding or a suitable mechanical device, preferably to the adjacent end wall of the receptacle



In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 14

26 to inhibit longitudinal shifting movements of the bearing assembly 40 relative to the bolster 16.

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 15

**IN THE CLAIMS:**

Claim 1. (Canceled).

Claim 2. (Currently Amended) The constant contact side bearing assembly according to Claim 4 6, wherein said spring comprises a deformable block of elastomeric material for absorbing energy imparted to said side bearing assembly and configured to position said friction member relative to said bolster surface.

Claim 3. (Original).

Claim 4. (Canceled)

Claim 5. (Canceled).

Claim 6. (Currently Amended) A The constant contact side bearing assembly according to ~~Claim 5~~ adapted to be arranged in combination with a railcar bolster having an upper surface, said side bearing assembly comprising:

a spring;

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 16

a body member having wall structure defining a recess wherein said spring is accommodated, with the wall structure of said body member being configured to fit within a walled receptacle on the upper surface of said railcar bolster and wherein the wall structure on said body member and the walled receptacle include a pair of confronting surfaces disposed to opposed sides of the an axis of defined by said side bearing assembly and extending generally normal to the upper surface on said bolster; and wherein said

an apparatus operably engagable with said walled receptacle on said bolster and said body member for locating said side bearing assembly relative to said bolster, said apparatus includes a spacer insertable into an opening defined including an insert positionable between each pair of confronting surfaces on opposed sides of the side bearing assembly axis whereby for inhibiting shifting movements of the body member of and locating said side bearing assembly from shifting relative to said bolster; and

a friction member overlying one end of and for transmitting loads to said spring, with said friction member being guided for movements relative to said body member.

Claim 7. (Currently Amended) The constant contact side bearing assembly according to Claim 6, wherein at least one surface of each pair of confronting surfaces is inclined with respect to the other surface such that said surfaces diverge away from each other as said surfaces extend

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 17

away from said bolster surface adapted to be engaged by said spring whereby defining a wedge shaped opening therebetween, and wherein each spacer insert has a wedge-shaped configuration which fits into said wedge-shape opening, and with each wedge-shaped spacer insert being secured to said walled receptacle to inhibit shifting movements of the walled receptacle of said side bearing assembly relative to said bolster.

Claim 8. (Canceled).

Claim 9. (Currently Amended) The constant contact side bearing assembly according to Claim 8 13, wherein said spring comprises a resilient spring block formed from an elastomer material.

Claim 10. (Original).

Claim 11. (Canceled).

Claim 12. (Canceled).

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 18

Claim 13. (Currently Amended) A The constant contact side bearing assembly according to Claim 12, adapted to be arranged in combination with a railcar bolster with an upper surface, said side bearing assembly comprising:

a walled housing defining a recess, and wherein said walled housing and the a walled receptacle on the upper surface of said bolster include define a pair of confronting surfaces disposed to arranged on opposed sides of an axis defined by said side bearing assembly axis and extending generally normal to the upper surface of said bolster;

a spring accommodated within said walled housing;

inserts for securing the walled housing of and locating said side bearing assembly within the walled receptacle on said bolster, and wherein with at least one of said spacers is insert being insertable into an opening defined positionable between said confronting surfaces on the walled receptacle and the walled housing on each side of said side bearing axis whereby for inhibiting shifting movements of the walled housing of said side bearing assembly from shifting relative to said bolster; and

a cap overlying one end of said spring, said cap being mounted for reciprocatory guided movements by and relative to said walled housing, with a generally flat railcar body engaging portion on said cap being positioned relative to said walled housing and said walled receptacle by said spring.

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 19

Claim 14. (Currently Amended) The constant contact side bearing assembly according to Claim 13, wherein at least one of said surfaces of each pair of confronting surfaces is inclined with respect to the other surface of each pair of confronting surfaces such that said surfaces diverge away from each other as said surfaces extend away from said bolster whereby defining a wedge shaped opening therebetween, and wherein one of said ~~spacers~~ inserts is insertable into each wedge shaped opening defined by said confronting surfaces on said walled housing and said walled enclosure to inhibit shifting movements of the walled housing of side bearing assembly relative to said walled enclosure.

Claim 15. (Currently Amended) The constant contact side bearing assembly according to Claim 14, wherein each ~~spacer~~ insert is configured as a wedge shim.

Claim 16. (Canceled).

Claim 17. (Currently Amended) The constant contact side bearing assembly according to Claim ~~16~~ 26, wherein a distance ranging generally between 2.5 inches and 4.5 inches is measurable between the upper extreme of said side bearing assembly and said bolster surface after said side bearing assembly ~~after~~ is accommodated in said receptacle.

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 20

Claim 18. (Currently Amended) The constant contact side bearing assembly according to Claim ~~16~~ 26, wherein said spring is configured such that an upper portion of said side bearing assembly is positioned above an upper extreme of the walls of said receptacle as long as the spring of said side bearing assembly is in an uncompressed state and when initial loadings are directed against said side bearing assembly during operation of the railcar on which said side bearing assembly is arranged in operable combination

Claim 19. (Currently Amended) The constant contact side bearing assembly according to Claim ~~16~~ 26, wherein said spring comprises a resilient spring block having a predetermined length and a predetermined cross-sectional shape.

Claim 20. (Original).

Claim 21. (Original).

Claim 22. (Original).

Claim 23. (Original).

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 21

Claim 24. (Canceled).

Claim 25. (Currently Amended) The constant contact side bearing assembly according to Claim 16 ~~26~~, wherein said cap is adapted to telescopically move relative to and be guided by the wall structure ~~on~~ of said housing, and wherein the wall structure of said housing and said cap are configured to promote the movement of air through said cavity and away from said spring.

Claim 26. (Currently Amended) ~~A~~ The constant contact side bearing assembly according to Claim 16 adapted to be accommodated within a rectangularly shaped, open top receptacle projecting from an upper surface of a railcar bolster, said receptacle having a pair of generally parallel and spaced side walls and a pair of generally parallel and spaced end walls, said constant contact side bearing assembly comprising:

a spring;

a housing with wall structure defining a cavity wherein said spring is accommodated, and

wherein the wall structure of said housing has a generally rectangular shape including two side walls and two ends walls, with each side wall and each end wall of said wall structure being disposed to opposite sides of ~~the~~ an axis defined by said side bearing assembly axis and extending generally normal to the upper surface of said bolster, and wherein the generally rectangular shape



In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 22

of the wall structure of said housing loosely fits within ~~and is surrounded by~~ said open top  
receptacle on said bolster;

a cap positioned by and overlying an end of said spring, with said cap being guided for  
telescopic movements relative to said housing, and with said cap including a generally flat portion  
defining an upper extreme of said side bearing assembly after said side bearing assembly is  
arranged in operable combination with said railcar bolster; and

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an apparatus for positively securing said housing and positioning said side bearing  
assembly relative to the railcar bolster.

Claim 27. (Original).

Claim 28. (Original).

Claim 29. (Original).

Claim 30. (Original).

Claim 31 through 34. (Canceled).

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 23

Claim 35. (New) The constant contact side bearing according to Claim 6, wherein said spring has an end adapted for direct engagement with a bolster surface defined within parameters set by said walled receptacle.

Claim 36. (New) The constant contact side bearing according to Claim 13, wherein the recess defined by said walled housing extends through said housing and is open at opposite ends.

Claim 37. (New) The constant contact side bearing according to Claim 13, wherein an end of said spring engages a portion of the upper surface on said bolster surrounded by the walled receptacle.

Claim 38. (New) The constant contact side bearing according to Claim 26, wherein the recess defined by said walled housing extends through said housing and is open at opposite ends.

Claim 39. (New) The constant contact side bearing according to Claim 26, wherein an end of said spring engages a portion of the upper surface on said bolster surrounded by the walled receptacle.

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 24

Claim 40. (New) A constant contact side bearing assembly adapted to be arranged in combination with a railcar bolster having an upper surface, comprising:

a walled receptacle adapted for securement to the upper surface on said bolster;

a body member having wall structure defining a recess, with the wall structure of said body member being configured to loosely and telescopically fit within the walled receptacle;

an elastomeric spring accommodated within the recess defined by said body member;

a friction member overlying one end of and for transmitting loads to said spring; and

an apparatus operably engagable between an inner surface on said walled receptacle and an outer surface on said body member for securing said body member against shifting and locating side bearing assembly relative to said bolster.

Claim 41. (New) The constant contact side bearing assembly according to Claim 40, wherein said spring comprises a deformable block of elastomeric material for absorbing energy imparted to said side bearing assembly and configured to position said friction member relative to said bolster surface.

Claim 42. (New) The constant contact side bearing assembly according to Claim 40, wherein said friction member is arranged in operable combination with and positions said spring relative to

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 25

said body member.

Claim 43. (New) In combination, a railcar bolster connected to a wheeled truck and a constant contact side bearing assembly, comprising:

a walled receptacle adapted for securement to an upper surface on said bolster;

a housing assembly configured to loosely fit within said walled receptacle, said housing assembly including a friction member having a railcar engaging portion which is spring biased for engagement with an underside of a railcar body supported by and for limiting hunting movements of said wheeled truck; and

an apparatus operably engagable with an inner surface on said walled receptacle and an outer surface on said housing assembly for locating said side bearing assembly relative to the railcar bolster.

Claim 44. (New) The side bearing assembly according to Claim 43 wherein said housing assembly includes a walled base which mounts said friction member for telescoping movement relative thereto.

Claim 45. (New) The side bearing assembly according to Claim 44 wherein the walled base

In re Application Of:

W. P. O'Donnell;

P. B. Aspengren

Serial No.: 10/785,097

Page 26

of said housing assembly defines a recess for accommodating a spring.

Claim 46. (New) The side bearing assembly according to Claim 45 wherein one end of said spring abuttingly engages with that portion of the upper surface of said bolster surrounded by said walled receptacle.